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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

JARED BURGER, an individual,

Plaintiff,

v.

**ESTES EXPRESS LINES, a foreign business
corporation; John Doe I, an individual,**

Defendants.

Case No. 1:22-cv-00217

NOTICE OF REMOVAL

Klamath County Circuit Court
Case No. 21CV47717

DEMAND FOR JURY TRIAL

TO: The Judges of the United States District Court for the District of Oregon;
AND TO: Clerk of the Court, Klamath County Circuit Court of the State of Oregon;
AND TO: Plaintiff Jared Burger and his attorney of record, Dipendra Rana:

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§1441 and 1446, Defendant
Estes Express Lines hereby removes to this Court the case now pending in the Circuit Court of
the State of Oregon for the County of Klamath, Case No. 21CV47717 and entitled *Jared*

Burger v. Estes Express Lines, et al.. A copy of the Amended Complaint is attached hereto as Exhibit A and made part of this Notice.

As grounds for removal, Defendant Estes Express Lines states as follows:

A. Notice of removal is timely

1. On December 16, 2021, plaintiff Jared Burger filed this action which is now pending in Klamath County Circuit Court as *Jared Burger v. Estes Express Lines.*, Case No. 21CV47717. Estes Express Lines was served with the Summons and Complaint on January 24, 2022.

2. This Notice of Removal is timely filed under 28 U.S.C. §1446(b), which provides that a notice of removal must be filed within 30 days after a defendant receives, by service or otherwise, the initial pleading.

3. No other defendants are named in this action.

4. No further proceedings have been had in the Circuit Court of Klamath County as of the date of filing of this removal.

B. Diversity Jurisdiction Exists

1. This is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. §1332. This action may be removed pursuant to 28 U.S.C. §1441 because the action involves a controversy between citizens of different states; the defendant is not a citizen of the state of Oregon; and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

2. Plaintiff Burger is/was, at the time he filed his complaint, a citizen and resident of the state of Oregon. (Amended Complaint, ¶1).

3. Defendant Estes Express Lines is/was, at the time the plaintiff filed his complaint, a California corporation authorized to do business in the State of Oregon.

(Amended Complaint, ¶2).

4. Defendant John Doe is an individual not yet named. (Amended Complaint ¶2).

4. Plaintiff alleges money damages of more than \$75,000, exclusive of interest and costs. (Amended Complaint, ¶11).

C. Removal to this District is proper.

1. Pursuant to 28 U.S.C. §§1332, 1441 and 1446, removal of the above-captioned state court action to this court is appropriate.

2. Pursuant to 28 U.S.C. §1441(a), removal is made to this Court as the district and division embracing the place where the state action is pending.

3. The defendant is providing to the plaintiff through its lawyer, written notice of the filing of this Notice of Removal. Furthermore, the defendant is filing a copy of this Notice of Removal with the Clerk of the Circuit Court of Klamath County, Oregon, where the action is currently pending.

DATED this 11th day of February, 2022.

WILLIAMS KASTNER

By /s/ Heidi L. Mandt

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Attorneys for Defendant Estes Express Lines

CERTIFICATE OF SERVICE

I certify that I served the foregoing NOTICE OF REMOVAL on the following attorneys on the 11th day of February 2022 by the methods indicated below:

Attorneys for Plaintiff:

Dipendra Rana
Ryan M. Lee
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_____	Via First Class Mail
_____	Via Federal Express
_____	Via Facsimile
_____	Via Hand-Delivery
_____✓	Via E-Mail
_____✓	Via the court's Efiling system at the party's email address as recorded on the date of service in the Efiling system.

/s/ Heidi L. Mandt

Heidi L. Mandt, OSB #953459

Attorneys for Defendant Estes Express Lines.